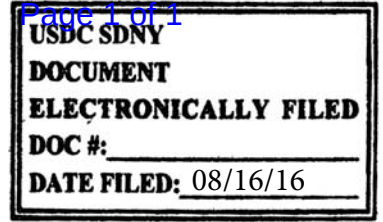


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August 15, 2016

VIA ECF

Hon. Barbara Moses
United States District Court
Southern District of New York
New York, New York 10007

Re: *Joint Stock Company "Channel One Russia Worldwide," et al. v. Infomir, LLC et al. 16-cv-01318 (GBD) (BCM)*

Dear Judge Moses:

We represent Plaintiff Broadcasters in the above-captioned matter. We write to withdraw Broadcasters' cross-motion for a partial default judgment against defendant Goodzone TV (www.gudzon.tv) ("Goodzone") without prejudice. (ECF Doc. 88).

On June 2, 2016 defendant Infomir, LLC ("Infomir") filed a motion to dismiss. (ECF Doc. 66-67). Infomir's primary argument pertains to its alleged sale of hardware as opposed to content.

On June 27, 2016 Goodzone joined Infomir's motion to dismiss but did not seek dismissal of count two of the Verified Complaint for violations of the Digital Millennium Copyright Act and, like Infomir, did not submit any argument in support of dismissal of count ten for a declaratory judgment. (ECF Doc. 82-83). Further, Goodzone is alleged to be a provider of content in the Verified Complaint and Infomir's motion provides no basis for dismissal as against Goodzone.

Goodzone's motion appears to be nothing more than an attempt towards delaying the resolution of this action. Nevertheless, recognizing that a partial motion to dismiss generally stays the time to file an answer under Fed. R. Civ. P. 12(a)(4), Broadcasters believe that withdrawing their cross-motion will expedite these proceedings. Accordingly, it is respectfully requested that the Court enter an Order permitting Broadcasters to withdraw their cross-motion for a partial default judgment against Goodzone without prejudice to renew.

Application GRANTED. Plaintiffs' cross-motion for a partial default judgment (Dkt. No. 88) is deemed WITHDRAWN without prejudice. The Clerk is respectfully requested to close the motion at Dkt. No. 88. SO ORDERED.

Barbara Moses, U.S.M.J. 8/16/16

Sincerely,

/s Samuel Blaustein